

**REMARKS**

The claims have been amended to clarify the invention. No new matter is involved.

Claim 7 was indicated as allowable if rewritten in independent form. Such has been done, herein, and Claim 7 is believed to be in allowable form.

Independent Claim 1, as amended, is to a method for marking an electric wire which includes an electrically conductive core wire and an insulating sheath, by injecting a certain amount of coloring agent to an outer face of the electric wire. The electric wire is tightened in a state where a tensile force is applied in a longitudinal direction, and the coloring agent is injected in drop form from an upper side of the electric wire onto an upper part of the outer face of the electric wire to form a band as a mark as a ring on the electric wire, with the drop contacting the uppermost portion of the upper part and moving downwardly by gravity along the outer face to form the band, which gradually becomes narrower from above to below the outer face.

The Office Action noted a typographical error in Claim 1 which has been corrected in this response.

In the Final Office Action, Claims 1 and 3 were rejected as anticipated under 35 U.S.C. 102(b) by Bleich et al. (U.S. 4,877,645), Klebl et al. (U.S. 5,153,025) or Smyczek et al. (U.S. 5,446,466). Reconsideration and removal of this rejection are respectfully requested in view of the present claim amendments and the following remarks.

**Preliminary Amendment**  
**U.S. Patent Application Serial No. 10/523,980**

The Office Action asserts that Bleich et al. teaches a method and apparatus for applying a coating material to elongated material, where the elongated material is a plastic insulation surrounding a metallic conductor and is supplied with a feed reel and take-up reel, and where the colorant is applied with nozzles from the uppermost side of the plastic covered metallic cable; that Klebl teaches a method of continuous marking elongated material with a colorant from color jets located above and below the elongated material while being supplied with a feed reel and a take-up reel, and the elongated material includes insulated metal strands; and that Smyczek teaches a wire marking system and method where an ink is printed on the outermost surface of an insulated wire while being supplied by a feed reel and a take-up reel.

It is argued that all of the references teach a continuous feeding mechanism with a feed reel and a take-up reel, and it is alleged that the apparatus would inherently apply tension to the wire and therefore meets the claimed limitation of “tightened in a state where tensile force is applied in a longitudinal direction”.

Regarding Claim 3, it is asserted that the term “open end” is met by the references as they all teach nozzles or jets which comprise “an open ended applicator” for applying the colorant to the outside of the wire, and regarding the limitation of the marking material moving downward by gravity along the outer face to form the band, it is the position of the Office Action that the prior art, while absent a positive recitation of “gravity” aiding in the formation of the bands, would recognize that gravity is present in the prior art and would meet the claimed invention.

**Preliminary Amendment**  
**U.S. Patent Application Serial No. 10/523,980**

None of the Bleich, Klebl or Smyczek references teach formation of a band mark as a ring by injection of a coloring agent in drop form on an upper side of an electric wire (see pg. 11, lines 3-4 and pg. 22, lines 13-16).

Bleich sprays colorant in a sheet form or conical form and covers the entire surface of the wire. There are no spaced bands or rings formed. In Klebl, colorant is jetted to form top and bottom marks. The colorant is not injected as a drop form and the mark does not gradually become narrower from above to below the outer face of the wire (see present specification at pg. 13, lines 3-8). Claim 1 has been amended to emphasize these distinctions. The Smyczek reference also is distinct and uses a corona discharge to mark a twisted cable using an ink jet printer. Smyczek does not teach injecting in drop form or forming a ring like band, or forming a band that gradually becomes narrower.

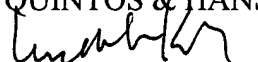
The above amendments are believed to place the claims in allowable form. Early and favorable action is awaited.

**Preliminary Amendment**  
**U.S. Patent Application Serial No. 10/523,980**

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Respectfully submitted,

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